

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of: A. Haverich et al.

Serial No.: (not assigned – divisional of
USSN 09/759,638)

Filed: Concurrently

For: Process for Producing a Vascularized Bioartificial Tissue and an Experimental Reactor for Carrying Out the Process

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Please calculate the filing fees based on this Preliminary Amendment.

Prior to examination on the merits, please amend the above-identified application as follows:

In the Specification:

Page 1, after the title and before “Description”, please add the following:

--Related Application:

This application is a divisional of co-pending Application Ser. No. 09/759,638, filed January 16, 2001 and is incorporated herein by reference. --

In the Claims:

Please cancel Claims 1-13.

Please amend claims 14 and 18 as follows:

14. (Amended) Vascularized bioartifical tissue, particularly obtained according to

Claim [1] 25 wherein at least one vessel passes through said tissue from which other vessels are propagated into the tissue.

18. (Amended) Experimental reactor for controlled production of a bioartificial tissue, according to Claim [1] 25, at least one tissue culture chamber, at least one

SEARCHED - SERIALIZED - INDEXED - FILED

inlet and outlet for said tissue culture chamber; and two opposite, plane, parallel and optically transparent boundary walls for said tissue culture chamber.

Please add the following new claim:

-- 25. A bioartificial tissue or tissue precursor, made by the process of:

inserting at least one vascularizing vessel into a mixture of viable cells in or on a matrix and cells whereby the vessel is inserted prior to or at the beginning of cultivation of the mixture of the matrix and cells; and

cultivating said mixture wherein the at least one vessel propagates and a vascularized bioartificial tissue is obtained, and wherein said step of cultivating includes supplying constituents to said at least one vessel from a location remote from said tissue. --

REMARKS

This Preliminary Amendment cancels claims 1-13 without prejudice. Claims 14 and 18 have been amended to depend new claim 25. This application now includes claims 14 to 25. Attached is a clean version of claims 14, 18 and 25.

Please charge any fees related to this Preliminary Amendment to Deposit Account No. 50-2041.

Respectfully submitted,



Michael E. Whitham
Reg. No. 32,635



30743

PATENT TRADEMARK OFFICE

CLEAN COPY OF AMENDED CLAIMS AND NEW CLAIM 25

14. Vascularized bioartifical tissue, particularly obtained according to Claim 25 wherein at least one vessel passes through said tissue from which other vessels are propagated into the tissue.
18. Experimental reactor for controlled production of a bioartificial tissue, according to Claim 25, at least one tissue culture chamber, at least one inlet and outlet for said tissue culture chamber; and two opposite, plane, parallel and optically transparent boundary walls for said tissue culture chamber.
25. A bioartificial tissue or tissue precursor, made by the process of:

inserting at least one vascularizing vessel into a mixture of viable cells in or on a matrix and cells whereby the vessel is inserted prior to or at the beginning of cultivation of the mixture of the matrix and cells; and

cultivating said mixture wherein the at least one vessel propagates and a vascularized bioartifical tissue is obtained, and wherein said step of cultivating includes supplying constituents to said at least one vessel from a location remote from said tissue.

100-42400-022-002